

TREATY  
BETWEEN  
THE UNITED STATES OF AMERICA  
AND  
THE OTTOMAN EMPIRE.

COMMERCE AND NAVIGATION.

*Concluded May 7, 1830.—  
Ratification advised by the Senate, February 1, 1831. .  
Ratified by the President February 2, 1831.  
Ratifications exchanged October 5, 1831.  
Proclaimed February 4, 1832.*

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION:

Whereas a treaty of commerce and navigation between the United States of America and the Ottoman Porte was concluded and signed at Constantinople by the respective Plenipotentiaries of the two Powers, on the seventh day of May, in the year of our Lord one thousand eight hundred and thirty, and the said treaty was duly ratified by the President, on the part of the said United States, on the second day of February, in the year of our Lord one thousand eight hundred and thirty-one, in pursuance of the advice and consent of the Senate, as signified by their resolution of the first day of that month: and whereas, the ratification by the President, of the said treaty in the Turkish language, and in a translation thereof into the English, annexed thereto, was exchanged at Constantinople, on the fifth day of October, 1831, by DAVID PORTER, the Chargé d'Affaires of the United States near the Sublime Porte, and NEDJIB EFFENDI, Reis Effendi of the Porte, for the ratification of the Sultan: which convention, as ratified by the President, in the English version, is, word for word, as follows:

The object of this firm instrument, and the motive of this writing well drawn up, is, that—

No treaty, or diplomatic and official convention, having, heretofore, existed, between the Sublime Porte, of perpetual duration, and the

United States of America; at this time, in consideration of the desire formerly expressed, and of repeated propositions which have lately been renewed by that Power, and in consequence of the wish entertained by the Sublime Porte, to testify to the United States of America, its sentiments of friendship, We, the Undersigned Commissioner, invested with the high office of Chief of the Chancery of State of the Sublime Porte, existing forever, having been permitted by His very Noble Imperial Majesty to negotiate and conclude a treaty, and having thereupon conferred with our friend, the honorable Charles Rhind, who has come to this Imperial Residence, furnished with full powers to negotiate, settle and conclude, the articles of a treaty, separately and jointly with the other two Commissioners, Commodore Biddle and David Offley, now at Smyrna, have arranged, agreed upon and concluded, the following articles:

#### ARTICLE I.

Merchants of the Sublime Porte, whether Mussulmans or Rayahs' going and coming, in the countries, provinces, and ports, of the United States of America, or proceeding from one port to another, or from the ports of the United States to those of other countries, shall pay the same duties and other imposts that are paid by the most favored nations; and they shall not be vexed by the exaction of higher duties; and in travelling by sea and by land, all the privileges and distinctions observed towards the subjects of other Powers, shall serve as a rule, and shall be observed towards the merchants and subjects of the Sublime Porte. In like manner, American merchants who shall come to the well defended countries and ports of the Sublime Porte, shall pay the same duties and other imposts, that are paid by merchants of the most favored friendly Powers, and they shall not, in any way, be vexed or molested. On both sides, travelling passports shall be granted.

#### ARTICLE II.

The Sublime Porte may establish *Shahbenders* (Consuls) in the United States of America; and the United States may appoint their citizens to be Consuls or Vice Consuls, at the commercial places in the dominions of the Sublime Porte, where it shall be found needful to superintend the affairs of commerce. These Consuls or Vice Consuls shall be furnished with *Berats* or *Firmans*; they shall enjoy suitable distinction, and shall have necessary aid and protection.

#### ARTICLE III.

American merchants established in the well defended States of the Sublime Porte, for purposes of commerce, shall have liberty to employ *Semsars*, (brokers) of any nation or religion, in like manner as merchants of other friendly Powers; and they shall not be disturbed in their affairs, nor shall they be treated, in any way, contrary to established usages. American vessels arriving at, or departing from, the ports of the Ottoman Empire, shall not be subjected to greater visit, by the officers of the Customhouse and the Chancery of the Port, than vessels of the most favored nations.

#### ARTICLE IV.

If litigations and disputes should arise between subjects of the Sublime Porte and citizens of the United States, the parties shall not be

heard, nor shall judgment be pronounced unless the American Dragoon be present. Causes in which the sum may exceed five hundred piastres, shall be submitted to the Sublime Porte, to be decided according to the laws of equity and justice. Citizens of the United States of America, quietly pursuing their commerce, and not being charged or convicted of any crime or offense, shall not be molested; and even when they may have committed some offence they shall not be arrested and put in prison, by the local authorities, but they shall be tried by their Minister or Consul, and punished according to their offence, following, in this respect, the usage observed towards other Franks.

#### ARTICLE V.

American merchant vessels that trade to the dominions of the Sublime Porte, may go and come in perfect safety with their own flag; but they shall not take the flag of any other Power, nor shall they grant their flag to the vessels of other Nations and Powers, nor to the vessels of rayahs. The Minister, Consuls, and Vice Consuls of the United States, shall not protect, secretly or publicly, the rayahs of the Sublime Porte, and they shall never suffer a departure from the principles here laid down and agreed to by mutual consent.

#### ARTICLE VI.

Vessels of war of the two Contracting Parties, shall observe towards each other, demonstrations of friendship and good intelligence, according to naval usage; and towards merchant vessels they shall exhibit the same kind and courteous manner.

#### ARTICLE VII.

Merchant vessels of the United States, in like manner as vessels of the most favored nations, shall have liberty to pass the Canal of the Imperial Residence, and go and come in the Black Sea, either laden or in ballast; and they may be laden with the produce, manufactures and effects, of the Ottoman Empire, excepting such as are prohibited, as well as of their own country.

#### ARTICLE VIII.

Merchant vessels of the two Contracting Parties shall not be forcibly taken, for the shipment of troops, munitions and other objects of war, if the captains or proprietors of the vessels, shall be unwilling to freight them.

#### ARTICLE IX.

If any merchant vessel of either of the Contracting Parties, should be wrecked, assistance and protection shall be afforded to those of the crew that may be saved; and the merchandise and effects, which it may be possible to save and recover, shall be conveyed to the Consul, nearest to the place of the wreck, to be, by him, delivered to the proprietors.

#### CONCLUSION.

The foregoing articles, agreed upon and concluded, between the Rias-set (Chancery of State,) and the above mentioned Commissioner of the

United States, when signed by the other two Commissioners, shall be exchanged. In ten months from the date of this *Temessuck*, or instrument of treaty, the exchange of the ratifications of the two Powers shall be made, and the articles of this treaty shall have full force and be strictly observed by the two Contracting Powers.

Given the fourteenth day of the moon Zilcaade, and in the year of the Hegira, 1245, corresponding with the seventh day of May, of the year one thousand eight hundred and thirty of the Christian *Æra*.

(Signed.)

MOHAMMED HAMID,

*Reis-ul-Kutab.*

(*Reis Effendi.*)

Now, therefore, to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof.

In Testimony whereof, I have caused the seal of the United States, [SEAL.] to be hereunto affixed, and have signed the same with my hand.

Done at Washington, this fourth day of February, in the year of our Lord one thousand eight hundred and thirty-two, and of the Independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the President:

EDW. LIVINGSTON,

*Secretary of State.*